

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SUSAN H. BALL,)
)
)
Plaintiff,)
)
)
v.) **No. 09 C 3668**
)
)
STANDARD INSURANCE COMPANY) **Magistrate Judge Arlander Keys**
and GROUP LONG TERM DISABILITY)
INSURANCE POLICY,)
)
Defendants.)

**STANDARD INSURANCE COMPANY'S AND THE ERISA PLAN'S
MOTION FOR ENTRY OF JUDGMENT**

Defendants, STANDARD INSURANCE COMPANY and GROUP LONG TERM DISABILITY INSURANCE POLICY (“Defendants”), by their attorney, Warren von Schleicher of Smith, von Schleicher & Associates, hereby submit their Motion for Entry of Judgment, pursuant to Fed. R. Civ. P. 52(a):

1. Defendants correctly determined that Plaintiff, Susan Ball, failed to satisfy the conditions for payment of disability benefits under the terms of the ERISA Plan.
2. Plaintiff fails to satisfy her burden of proving she continuously satisfied the Group Policy’s definition of Disability from January 7, 2008 through the end of the Benefit Waiting Period on April 11, 2008.
3. Accordingly, judgment should be entered in favor of Standard and the Plan.

WHEREFORE, Defendants, STANDARD INSURANCE COMPANY and GROUP LONG TERM DISABILITY INSURANCE POLICY, respectfully request entry of judgment in

their favor, dismissal of Plaintiff's Complaint with prejudice, and an award of costs and attorneys' fees incurred in this action under 29 U.S.C. §1132(g).

Respectfully submitted,

Warren von Schleicher
SMITH | VON SCHLEICHER + ASSOCIATES
180 N. LaSalle St. Suite 3130
Chicago, Illinois 60601
P: 312-541-0300
F: 312-541-0933
warren.vonschleicher@svs-law.com
Ill. Bar No. 6197189

By: /s/ Warren von Schleicher

Attorney for Defendants,
Standard Insurance Company and
Group Long Term Disability Insurance Policy

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorney of record listed below:

David A. Bryant
Daley, DeBofsky & Bryant
55 W. Monroe St. Suite 2440
Chicago, Illinois 60603
dabryant@ddbcchicago.com

/s/ Warren von Schleicher

Warren von Schleicher
SMITH | VON SCHLEICHER + ASSOCIATES
180 North LaSalle St. Suite 3130
Chicago, Illinois 60601
P: 312-541-0300
F: 312-541-0933
warren.vonschleicher@svs-law.com
Ill. Bar No. 6197189